

Vista Chemical Company

900 Threadneedle
Houston, Texas 77079
(713) 588-3000

P.O. Box 19029
Houston, Texas 77224
Fax (713) 588-3236

TGG: JCL: ~~MMG~~ AJO: RF
XF: 283.1

October 4, 1989

VISTA

Mike Agarier
Hillyard Chemical Company
302 North 4th Street
St. Joseph, Missouri 64502

Dear Mike:

The following is in response to your questions regarding Vista ALFONIC 1412-A Ether Sulfate. Tanya Gillette asked that I respond to you.

Based on the manufacturing process and feedstocks used to produce this product, and analytical data available to us, this product is not known to contain Diethylene Glycol or Butyl Cellusol. However, we do not routinely analyze this product for these two chemicals.

As to Proposition 65 listed chemicals, this product may contain trace quantities of 1-4 dioxane, which is generated inadvertently during the manufacturing process. Ethyl alcohol is added intentionally to the product. Ethyl alcohol in alcoholic beverages is listed also, but this listing shouldn't apply to this product.

The SARA 313 status of this product is currently not clear. I have attached a recent customer communication addressing this question. Vista and the Soap and Detergent Association are still working with EPA to clarify the status of this class of products under SARA 313.

Sincerely,

Thomas G. Grumbles
dlj

Thomas G. Grumbles, C.I.H.
Environmental Quality Manager

dlj

Attachment

VVV 000014190

Vista Chemical Company

900 Threadneedle
Houston, Texas 77079
(713) 588-3000

P.O. Box 19029
Houston, Texas 77224
Fax (713) 588-3236

July 5, 1989

VISTA

Mr.
Plant Manager
Alcolac, Ltd.
490 Dufferin Street
Valleyfield, Quebec
J6S 2B4 Canada, PQ

Dear .

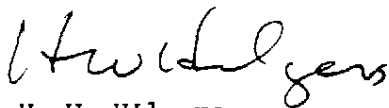
This letter is to inform you of a recent regulatory interpretation we have received from the Environmental Protection Agency regarding SARA, Title III, Section 313 reporting responsibilities for certain Vista ALFONIC Alcohol Ethoxylates and Ether Sulfates. The EPA position is summarized in the attached SDA Environmental Legislation Reporter. The letter from EPA detailing their decision is also attached.

Based on recognized toxicological concern for glycol ethers and other EPA regulatory actions concerning glycol ethers Vista did not consider AE and AES to be part of the glycol ether category listed in the SARA 313 regulation. In fact, in 1988 Vista asked EPA, through a SARA 313 Hot-Line, if they were included and was told they were not.

However, in early 1989, the issue was raised again. Through SDA, Vista and other industry members have been actively pursuing a clarification of this issue from EPA. Although we have not satisfactorily resolved the questions, we are continuing to work with EPA and will keep you informed on further developments. If you have questions at this time, please contact Tom Grumbles, Environmental Quality Manager for Vista, at (713) 588-3445.

Thank you for your continued interest in Vista Chemical.

Very truly yours,



H. W. Hilgers
Manager of Marketing
Surfactants

VVV 000014191



ENVIRONMENTAL LEGISLATION REPORT

Editor: Mary P. Kilcoyne

ER-78

April 24, 1989

A L E R T

I M P O R T A N T N O T I C E

FEDERAL LEVEL

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT (SARA)

Emergency Planning and Community Right-to-Know Act (EPCRA)

Section 313 - Title III - Release Reporting Requirements

GLYCOL ETHERS

Annual reporting of glycol ethers is required under SARA § 313. Glycol ethers are defined as $R-(OCH_2CH_2)_n-OR$ and $R-(OCH_2CH_2)_n-OH$, where R is alkyl or aryl (not further specified) and n is 1, 2 or 3. The definition specifically excludes polymers.

A telephone contact with an EPA official indicates that EPA staff believes that alcohol ethoxylates come within this definition of glycol ethers and should be reported.

The chemical industry does not use the term "glycol ether" in referring to alcohol ethoxylates and related surfactants. The uses of glycol ethers and alcohol ethoxylates (and related surfactants) are distinguishably different. Alcohol ethoxylates are more commonly considered polymers for which reporting is not required. Moreover, alcohol ethoxylates do not have the toxicological characteristics that lead to the reporting requirements for glycol ethers. Nevertheless, reporting of the one, two and three-mole ethoxylate content of alcohol ethoxylates and related nonionic surfactants will be required under EPA staff's interpretation.

The Chemical Manufacturers Association on glycol ethers will be reviewing this matter on Wednesday, April 26, 1989.

SDA will report any further developments in future Environmental Legislation Reports.

VVV 000014192



ENVIRONMENTAL LEGISLATION REPORT

Editor: Mary P. Kilcove

ER-153

June 19, 1989

File-347

ALERT

IMPORTANT NOTICE

FEDERAL LEVEL

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT (SARA)

Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 - Title III - Release Reporting Requirement

GLYCOL ETHERS

SDA's Counsel has received further advice from EPA with respect to reporting obligations for glycol ethers under EPCRA Section 313 (attached June 16, 1989 letter from Susan B. Hazen, Deputy Director, Economics and Technology Division, Office of Pesticides and Toxic Substances, U.S. Environmental Protection Agency to Alan S. Ward, SDA Counsel). SDA's efforts to clarify reporting obligations under these laws were the subject of an earlier April 24, 1989 Environmental Legislation Report.

You should note that the glycol ethers formulation contained in CFR has been corrected in Ms. Hazen's letter and that it is her conclusion that there are Section 313 reporting obligations with respect to alkyl ethoxylates, alkyl phenol ethoxylates and alkyl ethoxy sulfates, the substances for which SDA had asked clarification.

SDA is scheduling a meeting with Ms. Hazen and other EPA officials early in July (see the last paragraph of Ms. Hazen's letter.) If Ms. Hazen's conclusion about reporting is reaffirmed at that discussion, it is anticipated that SDA will formally request U.S. EPA for clarification that alkyl ethoxylates and related surfactants are not reportable as glycol ethers. The clarification procedure, if undertaken, would involve Federal Register notice and a period for public comment, and would be unlikely to be concluded for several months.

SDA has requested EPA to determine that a failure to report with respect to these substances not be regarded as non-compliance with the Act; but has received no response from EPA to this request.

SDA will report further developments in future Environmental Legislation Reports.

VVV 000014193

RCV BY:XEROX TELECOPIER 7010 :11- 7-03 2:05PM :
SENT BY:Baker & Hostetler ; 6-16-89 ; 3:18PM ;

2028611783→
2028611783→

22707:# 2
22707:# 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 16 1989

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

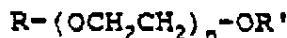
Mr. Alan S. Ward
Baker and Hostetler
Washington Square
Suite 1100
1050 Connecticut Avenue
Washington, DC 20036

— Dear Mr. Ward:

This letter is in response to your recent inquiry regarding a clarification of the glycol ether category under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 with respect to alkyl ethoxylates, alkyl phenyl ethoxylates and alkyl ethoxy sulfates.

There appear to be two separate issues stated in your letter. The first is to clarify the glycol ether category under section 313 to determine whether certain chemicals are subject to annual release reporting. The second requests that a modification to the category be made.

The general structure for glycol ethers, as defined under section 313 is as follows:



Where n = 1, 2, or 3

R = an alkyl or aryl group

— R' = R, H or groups which, when removed, yield glycol ethers with the following structure:



Polymers are excluded from this category.

The substances which you are referring to have the following general structural components with regard to the above structure:

R = C₈₋₁₈ alkyl or alkyl phenyl; R' = H, or SO₃H;
n usually averages greater than 3.

VVV 000014194

FROM BY:NEROK TELETYPE 0010 111- 7-03 2106PM :
SENT BY:Baker & Hostetler : 8-18-89 : 3:19PM :

12351173-
1125811733-

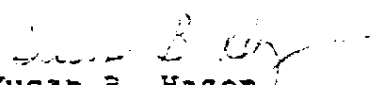
12707:# 3
22707:# 3

Both the R and R' groups for these components satisfy the definition of glycol ethers as described under section 313. However, the degree of ethoxylation (or the value of n) is greater than three. It is widely recognized that these materials have a range associated with the degree of ethoxylation such that for an average value of n, there may be substantial quantities of chemicals where the value of n is both higher and lower than the average. For section 313 reporting purposes, these substances are considered mixtures. In any mixture, a facility should, to the best of their ability, determine if any section 313 chemicals are contained in that mixture and consider only the fraction of reportable chemicals in determining reporting thresholds and calculating releases. In other words, facilities which manufacture, process, or otherwise use the ethoxylate mixture described above should consider the fraction of the chemicals where "n" is equal to three or less for reporting and release threshold determinations. This fraction of the mixture meets the definition of a glycol ether as described.

As we have discussed, modifications to list of reportable chemicals under section 313 can only take place through Agency rulemaking procedures. This requires proposing a rule in the Federal Register, receiving public comment, and then publishing a final rule. To date, the list of chemicals under section 313 has been modified by petitions to add or delete chemicals to the list and through an Agency initiated proposal to add chemicals to the list.

We would be happy to meet with you to discuss the options for requesting a modification to the glycol ether category under section 313. As you know, Bob Israel of my staff is the section 313 Petitions Coordinator. You should contact him to pursue this matter further.

Sincerely,


Susan B. Hazen
Deputy Director
Economics and Technology
Division

cc: Charles Elkins
Bob Israel

VVV 000014195